

REMARKS

A. Election/Restriction

In subject office action, the Examiner asserted that the claims are directed towards patentably distinct species: claims 2-5, 7-9, 11-12, 14-15, 17-18, 20-21, 23-30, 32-33, 35-36, 38-39 and 41-42.

Claims 1, 6, 10, 13 16, 19, 22, 31, 34, 37 and 40 are generic.

The Examiner required Applicants to elect a specie.

Before responding, Applicants note that claim 6 is dependent on claim 1, and accordingly cannot be a generic claim. Applicants assume what the Examiner intended was to identify independent claim 7 as the second generic claim, and to indicate that the first and second species are comprised of dependent claims 2-6 and dependent claims 8-9 respectively instead.

Assuming the foregoing, notwithstanding Applicants' disagreement with the Examiner's characterization, Applicants hereby elect the "specie" of claims 2-6, as required by the Examiner, with reservation to traverse the Examiner's requirement.

Further, Applicants note that claims 23-30, 32-33, 35-36, 38-39 and 41-42 are claims 2-6, 8-9, 11-12, 14-15, 17-18, 20-21 in apparatus form respectively. Accordingly, claims 23-30 could not possibly be a specie separate and distinct from claims 2-6. In like manner, claims 32-33, 35-36, 38-39 and 41-42 cannot possibly be species that are separate and distinct from the species of claims 8-9, 11-12, 14-15, 17-18, 20-21 respectively.

B. Objection against claim 23

Claim 23 has been amended accordingly, to correct its backward reference.

C. Rejection under 35 USC §102(e)

Claims 1-3, 6, 10-11, 13-14, 22-24, 27, 31-32 and 34-35 were rejected under 35 USC §102(e) as being unpatentable over Gough et al (USP 5,638,501).

Rejections against 14 and 35 have been rendered moot by their cancellation.

Remaining rejections are traversed below.

Claim 1 recites as follows:

1. A method comprising:
 - copying and saving first pixel values corresponding to a first display screen area;
 - blending the copied first pixel values with second pixel values to generate third pixel values;
 - replacing the original first pixel values with the third pixel values to effectuate display of a non-blocking always visible display;
 - monitoring for display operations that impact the first display screen area;
 - upon detection of such a display operation, replacing said third pixel values with said first pixel values using said saved first pixel values;
 - upon completion of the detected operation, copying and saving fourth pixel values corresponding to the first display screen area;
 - blending the copied fourth pixel values with said second pixel values to generate fifth pixel values;
 - replacing the original fourth pixel values with the fifth pixel values to sustain the non-blocking always visible characteristic of the non-blocking always visible display.

Accordingly, to achieve the desired non-blocking visible display of the present invention, claim 1 first requires

(a) first pixel values of a display screen area is copied and saved away;

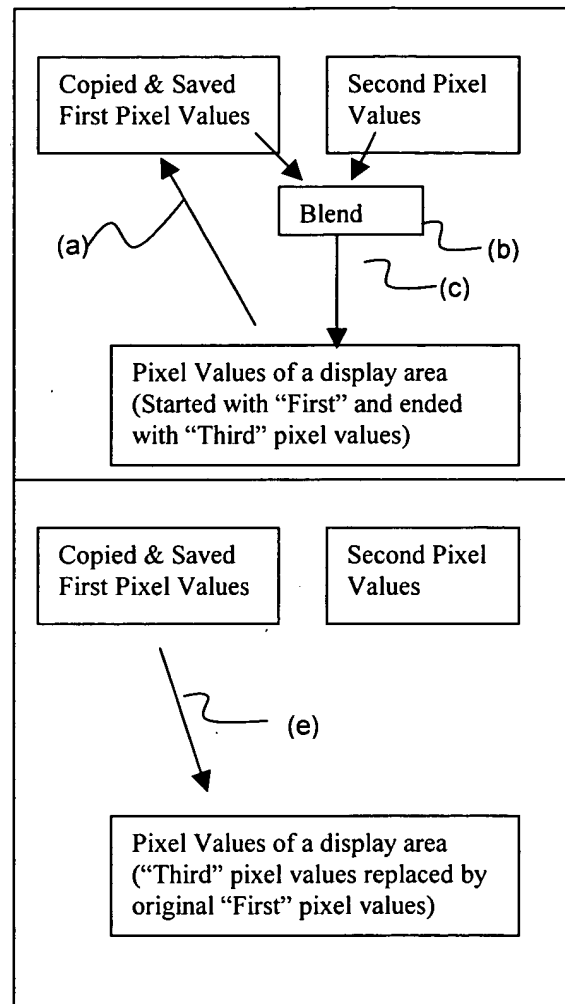
(b) the copied first pixel values are blended with second pixel values to produce third pixel values,

(c) the original first pixel values are then replaced by the third pixel values to effectuate display of a non-block always visible display.

Claim 1 then further requires that

- (d) display interactions that impact the particular display screen are monitored, and

- (e) on detection, the third pixel values (i.e. the blended pixel values) are replaced by the saved first pixel values



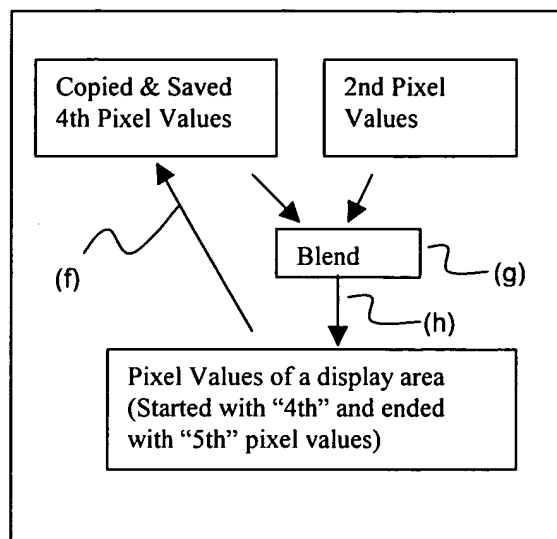
Note that replacing the blended third pixel values with the original first pixel values is not just another copy operation. The requirement represents a unique and novel "swap back" approach to achieving the desired "non-blocking always visible display."

Then, claim 1 recites,

(f) upon completion of the detected operation, copying and saving fourth pixel values corresponding to the first display screen area;

(g) blending the copied fourth pixel values with said second pixel values to generate fifth pixel values, and

(h) replacing the original fourth pixel values with the fifth pixel values to sustain the non-blocking always visible characteristic of the non-blocking always visible display.

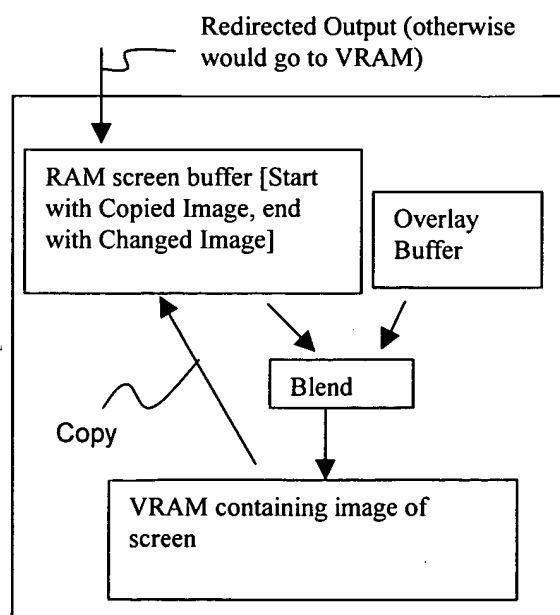


In contrast, as evident by Gough's disclosure in col. 12, lines 59 – col. 13, lines 5, Gough clearly teaches a different approach.

Starting in col.12, lines 59,
Gough states:

"Next, ... it is determined whether this is the first time that the application program 101 is drawing to the screen 60 after an overlay image has been produced. If it is, a step 126 creates an overlay buffer, and the image of the screen that is stored in the video RAM (VRAM) is copied from the system's VRAM to the RAM screen buffer ..."

"Next, in step 128, the system is set such that future drawing output



which is intended by the operating system, to go to VRAM, is sent to the RAM screen buffer of the present invention instead."

Accordingly, because Gough employs a "**redirect**" approach, redirecting the output into the RAM buffer (as opposed to allowing the output to continue to go the VRAM buffer), Gough does not teach or suggest the recited required "**swap back**" of claim 1, replacing the prior blended result (third pixel values) with the original pre-blend pixel values (first pixel values).

It further follows then because Gough does not employ the required "**swap back**" approach, Gough does not teach or suggest the recited required "monitoring" (so the "**swap back**" may take place).

The difference between Gough's "**redirect**" approach and the present invention's "**swap back**" approach is significant. Gough's **redirect** approach can be implemented only as an enhancement to the operating system, whereas the **swap back** may be implemented as an enhancement to the operating system, or **more importantly, independent of the operating system**.

In view of the foregoing, Applicants respectfully submit claim 1 is patentable over Gough.

Claims 10 and 13 contain similar "**swap back**" limitations as claim 1. Accordingly, for at least the same reasons, claims 10 and 13 are patentable over Gough.

Claims 22, 31 and 34 are claims 1, 10 and 13 in apparatus form. Accordingly, for at least the same reasons, claims 22, 31 and 34, 37 are patentable over Gough.

Claim 2-3 and 6, 11, 14, 23-24, 27, 32 and 35 depend on claims 1, 10, 13, 22, 31 and 34 respectively, incorporating their limitations. Accordingly, claims 2-3, 6, 11, 14, 23-24, 27, 32 and 35 are patentable over Gough.

D. Rejection under 35 USC §103

Claims 16-17, 19-20, 37-38, 40-41 were rejected under 35 USC §103 as being obvious in view of Gough et al (USP 5,638,501) and Jasskelainen (USP 6,002,397) combined.

Rejections of claims 17, 20, 38 and 41 have been rendered moot by their cancellations.

Claims 16 and 19 contain similar "**swap back**" limitations of claim 1. Accordingly, for at least the same reasons claims 16 and 19 are patentable over Gough. Jasskelainen does not remedy the above discussed deficiency of Gough, therefore claims 16 and 19 are patentable over Gough even when combined with Jasskelainen.

Claims 37 and 40 are claims 16 and 19 in apparatus form. Accordingly, for at least the same reasons, claims 37 and 40 are patentable over Gough and Jasskelainen combined.

E. Restriction and withdrawal of claims 4-5, 7-9, 12 15, 18, 21, 25-26,28-30, 33, 36, 39 and 42

Applicants respectfully traverse the Examiner's required restrictions of 4-5, 7-9, 12 15, 18, 21, 25-26,28-30, 33, 36, 39 and 42.

Applicants admit here for the record that the feature of "intercepting cursor event" is known in the art, and forms no part of the novelty. Accordingly, these claims cannot be considered as being directed towards another invention by virtue of the inclusion of a "prior art" feature. They merely recite narrower embodiments of the invention claimed by the examined claims.

Claims 4-5, 12, 15, 18, 21, 25-26, 28-30, 33, 36, 39 and 42 are dependent on independent claims 1, 10, 13, 16, 19, 22, 28, 31, 34, 37 and 40, incorporating their limitations. Therefore, for at least the same reasons discussed earlier, these claims are patentable over the cited references.

Claim 7 recites in pertinent part

determining whether the cursor events are to be handled by an application program associated with said non-blocking always visible display or an application program associated with an underlying display window, based at least in part on a current blending bias between said non-blocking always visible display and said underlying display windows (emphasis added).

Accordingly, claim 7 requires that when cursor events is detected for the “blended” display, whether the cursor event is to be handled by the application associated with the non-blocking always visible display or the application associated with the underlying display, is determined based on the current blending bias.

For example, the handling of the cursor event may be resolved in favor of the application, which displays have a stronger blending bias. More specifically, if the blending bias is 70% in favor of the underlying display, and 30% in favor of the non-blocking always visible display, cursor events are handled by the application associated with the underlying display.

Gough on the other hand, employs a different approach. Displays in Gough operate in either a reactive or non-reactive mode. The application associated with the constituent display of a blended display operating in the reactive mode is given control to handle any cursor events.

Accordingly, claim 7 is patentable over Gough, with or without any of the other cited references.

Claims 8-9 depend on claim 7. Accordingly, for at least the same reasons, claims 8-9 are patentable over the cited references.

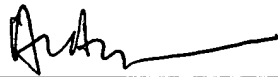
D. Conclusion

In view of the foregoing, Applicants respectfully submit that all remaining claims, including the restricted claims, i.e. claims 1-13, 15-16, 18-19, 21-34, 36-37, 39-40 and 42, are all in condition for allowance, and early issuance of the Notice of Allowance is respectfully requested.

Please charge any shortages and credit any overages to Deposit Account No. 500393.

Respectfully submitted,
Applicants

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